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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/251,480

02/17/1999

KAMRAN AMJADI

24122-402

3291

909

7590

11/17/2006

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EXAMINER

DINH, KHANH Q

ART UNIT

PAPER NUMBER

2151

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/251,480

Applicant(s)

AMJADI, KAMRAN

Examiner

Khanh Dinh

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Reopening of Prosecution After Appeal Brief or Reply Brief

In view of the Appeal Brief filed on 8/24/2006, PROSECUTION IS
HEREBY REOPENED. The Office Action sets forth below.

To avoid abandonment of the application, appellant must exercise one of
the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a
reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31
followed by an appeal brief under 37 CFR 41.37. The previously paid
notice of appeal fee and appeal brief fee can be applied to the new
appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been
increased since they were previously paid, then appellant must pay the
difference between the increased fees and the amount previously paid.

2. Claims 1-59 are presented for examination.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-36, 39-41, 44-50 and 52-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scroggie et al., U.S. Pat. no.5,970,469 (hereafter Scroggie) in view of Walker et al., US Pat. No.5,949,875 (hereafter Walker).

As to claim 1, Scroggie discloses a computer method performed for providing access to incentives via a computer network, the computer network comprising at least one incentive host server (310 fig.13) and at least two network servers (300, 312 fig.13) for providing users with access to incentives host server (310 fig.13), comprising:

receiving, at a network server, an access request from a client device (user 308 fig.13) associated with the user and transmitting a first identifier (customer ID) corresponding to the access request to the incentive to a host server (see abstract, figs,1, 13, col.9 line 42 to col.10 line 4 and col.11 line 41 to col.12 line 42);

determining at the incentive host server available incentives using at least the first identifier with an incentive server database (306 fig.13) and transmitting information (token) regarding the determined available incentives to the client device (see col.11 line 41 to col.12 line 42 and col.13 lines 10-46).

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Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

As to claim 2, Scroggie discloses receiving a request for a document stored at least in part on the network server (see col.11 line 41 to col.12 line 42).

As to claim 3, Scroggie discloses determining whether an indication exists that the user subscribes to receive information of at least one of the subscriber identification with available incentives (see col.6 lines 1-64 and col.12 lines 7-51). Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer

system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

As to claim 4, Scroggie discloses determining whether an indication exists that the user subscribes to receive information of at least one of the subscriber identification associated with available incentives, includes: transmitting a subscriber request to the client device and receiving a response from the client device including the first identifier (see col.6 lines 1-64 and col.12 lines 7-51). Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

As to claim 5, Scroggie discloses transmitting an identifier corresponding to the client device to the incentive host server (see fig.13, see col.6 lines 1-64 and col.12 lines 7-51). Scroggie does not specifically disclose and a network server identifier (NID) to

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identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

As to claim 6, Scroggie discloses receiving incentive information reflecting a selection of incentives based on at least one of the subscriber identification and the identifier corresponding to the client device to the incentive host server (see fig.13, see col.6 lines 1-64 and col.12 lines 7-51). Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

As to claim 7, Scroggie discloses transmitting a first identifier corresponding to the device associated with the user (see fig.13, see col.6 lines 1-64 and col.12 lines 7-51).

As to claim 8, Scroggie discloses a computer-implemented method for accessing incentives in a network, comprising:

transmitting an access request to access one of the network servers (300, 312 FIG.13) in the network (see abstract, figs,1, 13, col.11 line 41 to col.12 line 42);

transmitting a first identifier corresponding to the access request to the incentive host sever (310 FIG.13) (i.e., using purchase incentive data to process users' purchases) and determining available incentives using at least the first identifier, wherein an incentive host server (300 fig.13) identifies available incentives in an incentive server database (306 fig.13) (see col.11 line 41 to col.12 line 42 and col.13 lines 10-46).

Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because

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it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

As to claim 9, Scroggie discloses providing a browser enabling a user to formulate and transmit the access request (see fig.13, see col.6 lines 1-64 and col.12 lines 7-51).

As to claim 10, Scroggie discloses receiving selected incentive information reflecting a server identification associated with the server (see fig.13, see col.6 lines 1-64 and col.12 lines 7-51). Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

Claims 11-20 are rejected for the same reasons set forth in claims 1-10 respectively.

As to claim 21, Scroggie discloses a system for distributing information in a network, comprising:

a host server (300 fig.13) having at least one of an incentive distribution module and an account creation module accessible to a plurality of users, a plurality of network servers (310, 312 fig.13) coupled to and selectively accessible to the host server for providing identification including a first identifier to the host server (see abstract, figs.1, 13, col.11 line 41 to col.12 line 42);

at least one client machine (302 fig.13) coupled to and selectively accessible to at least one of the network servers for accessing network documents, wherein when at least one user (308 fig.13) causes the client machine to access one of the network servers, the accessed network server communicates with the host server to obtain data corresponding to the subscriber for presentation to the at least one user, and wherein the at least one client machine is adapted to present from the host for at least one user (i.e., using purchase incentive data to process users' purchases, see col.11 line 41 to col.12 line 42 and col.13 lines 10-46).

Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because

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it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

As to claims 22-34, Scroggie further discloses using coupons, set of coupons, discounts and awards (see col.10 lines 5-59 and col.12 lines 7-51).

As to claims 35 and 36, Scroggie further discloses transmitting to the client request and registration form for an account (using log-in page), receiving information regarding an account, determining an identifier and transmitting the first identifier to the client device (see col.6 line 35 to col.7 line 52).

Claims 39-41 are rejected for the same reasons set forth in claims 34-36 respectively.

Claims 44-47 are rejected for the same reasons set forth in claims 39-42 respectively.

As to claim 48, Scroggie further discloses one or more database for storing information related to coupons (see fig.10, col.9 line 42 to col.10 line 39).

Claims 49-50 are rejected for the same reasons set forth in claims 40-41 respectively.

Claims 52 and 53 are rejected for the same reasons set forth in claims 34 and 39 respectively.

As to claim 54, Scroggie discloses an incentive host server (310 fig.13) for use in an incentive network, the incentive network including the incentive host server including at least two incentive network servers (300 and 312 fig.13), comprising:

an incentive database (306 fig.13) for storing incentives;

a registration module (using a log-in page and household Registration to process user's data information, see col.9 lines 15-40) for receiving registration information from a client device (302 fig.13), and for transmitting a Unique ID (client ID) to the client device that submitted the registration information for storage on the client device to enable the ID to be subsequently used in connection with requesting incentives from any of the incentive network servers within the incentive network (see col.6 lines 35-64 and col.11 lines 42-65);

an incentive determination module for:

receiving a request for incentives from any of the incentive network servers and receiving a UID associated with the request (see fig.14, col.11 line 66 to col.12 line 42).

determining currently available incentives based on the UID and a UID of the client device from which request was initiated and transmitting information about the incentives determined to be currently available (see col.12 line 43 to col.13 line 35).

Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because

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it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

As to claim 55, Scroggie further discloses that the incentive determination module for transmitting information about the incentives determined to be currently available to a client device having the UID associated with the received request (see col.12 line 43 to col.13 line 35).

As to claim 56, Scroggie further discloses the incentive determination module for transmitting information about the incentives determined to be currently available to the incentive network server associated with the received request (see col.8 line 53 to col.9 line 40 and col.12 line 43 to col.13 line 35). Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

As to claim 57, Scroggie further discloses an incentive network, comprising:

an incentive host server (310 fig.13) and at least two incentive network servers (300 and 312 fig.13), wherein an incentive network server comprises a network interface for receiving from a client device (302 fig.13) a request for access to incentives, and for communicating information about the request to the incentive host server (see abstract, fig.13, col.11 lines 42-65); and

the incentive host server comprising:

- i) an incentive database (306 fig.13) for storing incentives;
- ii) a registration module (using a log-in page and household Registration to process user's data information, see col.9 lines 15-40) for receiving registration information from a client device (302 fig.13), and for transmitting a Unique ID (client ID) to the client device that submitted the registration information for storage on the client device to enable the ID to be subsequently used in connection with requesting incentives from any of the incentive network servers within the incentive network (see col.6 lines 35-64 and col.11 lines 42-65);
- iii) a network interface for receiving from any of the incentive network servers a request for access to at least some of the stored incentives, and receiving a request for incentives from any of the incentive network server from which the request is received (see fig.14, col.11 line 66 to col.12 line 42).
- iv) an incentive determination module for determining currently available incentives based on the UID of the client device from which request was initiated and

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means for transmitting information about the incentives determined to be currently available to the UID (see col.12 line 43 to col.13 line 35).

Scroggie does not specifically disclose a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

Claims 58 and 59 are rejected for the same reasons set forth in claims 55 and 56 respectively.

5. Claims 37, 38, 42, 43 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scroggie and Walker in view of Gardenswartz et al. US pat. No.6,055,573.

Scroggie's teachings still applied as in item 4 above. Neither Scroggie nor Walker does not specifically disclose demographic information regarding a user and the requested document is stored on the network server. However, Gardenswartz further discloses demographic information regarding a user and the requested document is stored on the

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network server (see fig.1, col.5 lines 33 to col.6 line 53, col.7 line 12 to col.8 line 32 and col.13 line 51 to col.14 line 48). It would have obvious to one of the ordinary skill in the art at the time the invention was made to implement Gardenswartz's teachings into the computer system of Scroggie to process data transactions over the Internet because it would have tracked a consumer's online activity and thus delivered appropriate product information to consumers based on purchase history over the Internet.

Response to Arguments

6. Applicant's arguments with respect to claims 1-59 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


7. Claims 1-59 are rejected.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (571) 272-3939. The fax phone number for this group is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval IPAIRI system. Status information for published

applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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